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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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9 DEBBY SEVANT,

10           Petitioner,

11 vs.

12 SHERYL FOSTER, et al.,

13           Respondents.

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Case No. 2:14-cv-00531-JCM-VCF

**ORDER**

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The court determined that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (#8) had defects in its allegations, and the court gave petitioner the opportunity to file an amended petition to correct those defects. Order (#8). Petitioner has not complied with the court's order within the allotted time. The court will dismiss the action

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This action does not toll the one-year period of 28 U.S.C. § 2244(d). Duncan v. Walker, 533 U.S. 167, 181-82 (2001). If petitioner files a new federal habeas corpus petition, then she is responsible for ensuring that it is timely.

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Reasonable jurists would not find the court's conclusions to be debatable or wrong, and the court will not issue a certificate of appealability.

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IT IS THEREFORE ORDERED that this action is **DISMISSED** without prejudice. The clerk of the court shall enter judgment accordingly.

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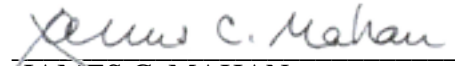
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IT IS FURTHER ORDERED that a certificate of appealability is **DENIED**.

DATED: November 14, 2014.

  
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JAMES C. MAHAN  
United States District Judge